



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/748,926

12/30/2003

Nina Mariah C. Quintana

1000-1360

4351

7590

06/15/2005

Luis M. Ortiz
Ortiz & Lopez, PLLC
P.O. Box 4484
Albuquerque, NM 87196

EXAMINER

WALK, SAMUEL J

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/748,926	QUINTANA, NINA MARIAH C.	
	Examiner	Art Unit	
	Samuel J. Walk	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-4, 6, 8, 12, 15, 16 and 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Garcia (US 2001/0038344).

In reference to Claim 1, Garcia discloses an alarm system responding to presence of an emergency vehicle wherein claimed emergency signal detector met by receiver 14 and claimed emergency transmitter met by transmitter 12, see Fig. 1 and para. [0032]; claimed direction module met by processor 65; see para. [0046]; claimed alarm generator met by display control 67 monitor 42 and approach signalling device 69, see paras. [0047-0048].

In reference to Claim 3, Garcia further discloses the signal is generally a radio wave signal.

In reference to Claim 4, it is inherent that a radio wave signal constitutes radar as radar is emitted radio wave signals

Art Unit: 2632

reflected back to the source and since the claimed invention does not utilize the reflected signal and receives the signal at remote location, it is therefore inherent that the radar system is only that of a radio frequency system.

In reference to Claims 6 and 8, Garcia further discloses global positioning system 34 provided for advising the drivers of the non-emergency vehicles of the location of the emergency vehicle emitting an emergency signal, see para. [0041].

In reference to Claim 12, see above rejection in reference to Claim 1.

In reference to Claim 15, see above rejection in reference to Claim 1.

In reference to Claim 16, see above rejection in reference to Claims 6 and 8.

In reference to Claims 18 and 19, Garcia further discloses the transmitter is located on emergency vehicle 10 which includes ambulance and police car, see Figs. 1 and 3.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2632

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 4, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garcia in view of Ewing (US 6822580).

In reference to Claims 2, 4 and 17, Garcia discloses that signals are radio wave signals but could also be any other air wave signals. Garcia does not specifically disclose optical wave signals. However, Ewing teaches of an emergency vehicle warning system wherein transmitters emit infrared signals, which are in the optical range, see Col. 2 lns 49-58. Therefore, one having ordinary skill in the art at the time the invention was made would have incorporated the teachings of Ewing into the system of Garcia because infrared and optical communication means are functionally equivalent and readily available components.

In reference to Claim 20, see above rejections in reference to Claims 17-19.

5. Claims 7 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garcia in view of Cardillo (US 6690291).

Art Unit: 2632

In reference to Claim 7, Garcia disclose location-determining means utilizing GPS system 34. Garcia does not disclose triangulation. However, Cardillo teaches of a vehicle hazard warning system wherein the hazard signal received by antennas 144, 146 and 148 are triangulated to determine location, see Col. 5 lns 50-55. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made would have incorporated the teachings of Cardillo into the system of Garcia because GPS based systems may not properly work correctly in areas with many and/or tall obstructions of the receipt of satellite signals.

In reference to Claims 13-14, Garcia discloses processor 65, monitor 42 and approach signalling device 69 for providing a user the location of the emergency transmission. Garcia does not specifically disclose L, R, F, B, LF, RF, etc. indicia. However, Cardillo discloses visual display device wherein arrow 160 identifies hazardous situations in front of the vehicle, arrow 162 identifies hazardous situations behind the vehicle, arrows 164 and 166 identify hazardous situations to the left and right of the vehicle, respectively and other arrows 170 identify directions in between the arrows 160, 162, 164 and 166, see Col. 5 lns 56-62 and Fig. 10 (pg. 1 of Drawings). Therefore, one having ordinary skill in the art at the time the invention was

Art Unit: 2632

made would have incorporated the teachings of Cardillo into the system of Garcia because simplification of visual data in a car allows the driver more time to allot to driving. In addition, it would have been obvious to one having ordinary skill that arrows and alphanumerics such as LF, RB, etc. are functionally equivalent and designers, manufacturers, etc. would select the appropriate indicia based on desired criteria.

6. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garcia in view Ewing and in further view of Cardillo.

In reference to Claims 9 and 11, Garcia and Ewing disclose location-determining means utilizing GPS system 34. Garcia and Ewing does not disclose triangulation. However, Cardillo teaches of a vehicle hazard-warning system wherein the hazard signal received by antennas 144, 146 and 148 are triangulated to determine location, see Col. 5 lns 50-55. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made would have incorporated the teachings of Cardillo into the system of Garcia and Ewing because GPS based systems may not properly work correctly in areas with many and/or tall obstructions of the receipt of satellite signals.

Conclusion


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Arbinger (US 6339382) discloses an emergency vehicle alert system. Gross (US 6326903) discloses an emergency vehicle traffic signal pre-emption and collision avoidance system. Markow (US 6087961) discloses a directional warning system for detecting emergency vehicles.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel J. Walk whose telephone number is (571) 272-2960. The examiner can normally be reached on M-F: 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DANIEL WU
SUPERVISORY PATENT EXAMINER
6/13/05